

H. R. 2982.

IN THE HOUSE OF REPRESENTATIVES,

FEBRUARY 6, 1871.

Read twice, referred to the Committee on the Public Lands, and ordered to be printed.

Mr. STRICKLAND, on leave, introduced the following bill:

A BILL

Establishing the right of way of the Portage Lake and River Improvement Company, and providing for and making a grant of land to aid in the completion of said improvement.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Portage Lake and River Improvement Company, a
4 company organized under the laws of the State of Michigan,
5 be, and hereby is, authorized to construct a breakwater in
6 Keweenaw Bay, Lake Superior, not exceeding two thousand
7 feet in length, on the bank of said bay, and a ship-canal from
8 the most eligible point in said bay, to Portage Lake, which
9 canal shall be at least one hundred feet in width, and not less
10 than thirteen feet in depth.

1 SEC. 2. *And be it further enacted,* That there is hereby

2 granted to the State of Michigan, for the use and benefit of
3 the Portage Lake and River Improvement Company, to aid
4 in the construction of the work provided for in the first section
5 of this act, in accordance with the act of the legislature of the
6 State of Michigan in relation thereto, two hundred thousand
7 acres of public land, to be selected from the odd-numbered
8 sections in the Marquette land district, in the Upper Peninsula
9 of Michigan, subject to sale or pre-emption, and which have
10 been surveyed, but to which no pre-emption or homestead
11 rights have attached, and which have not been reserved in
12 any grant heretofore made by Congress nor otherwise disposed
13 of. Said lands may be selected by said company at any time,
14 and patents to issue therefor, as hereinafter provided: *Pro-*
15 *vided*, That said canal shall be and remain a public high-
16 way for the use of the Government of the United States, free
17 from toll or charge upon the vessels or property of said Gov-
18 ernment, or upon vessels employed by said Government, in
19 the transportation of any property or troops of the United
20 States: *And provided further*, That Congress shall have the
21 right to regulate tolls on said canal.

1 SEC. 3. *And be it further enacted*, That the aforesaid
2 company shall forthwith establish the route of said canal and
3 the plan of said breakwater, and file plats or a plat thereof
4 in the office of the governor of said State of Michigan, and
5 shall obtain the approval of the same by the governor of said

6 State, and all the expenses incurred in carrying out the provi-
7 sions of this act shall be borne by said company.

1 SEC. 4. *And be it further enacted*, That if said break-
2 water and ship-canal shall not be completed according to the
3 plans so approved by said governor within five years from the
4 passage of this act, the lands hereby granted shall revert to
5 the United States: *Provided*, That whenever said breakwater
6 and ship-canal shall be completed, according to the provisions
7 of this act, and said governor shall certify the same, certifi-
8 cates for the lands herein granted shall be issued to the said
9 company.

1 SEC. 5. *And be it further enacted*, That the lands
2 granted by this act, excepting only such as are necessary
3 for the company to reserve for docks and warehouses
4 and other needful uses in operating said canal, timber
5 lands not suitable for agricultural purposes, and mineral lands,
6 shall be sold to actual settlers only, and in quantities not more
7 than one hundred and sixty acres to any one person, under
8 such regulations and restrictions as may be prescribed by the
9 Secretary of the Interior, at such prices as will secure to said
10 company, its successors or assigns, an average price of not
11 more than two dollars and fifty cents per acre for said land;
12 and to insure an enforcement of this section it shall be the
13 duty of the company, within one year after the selection of
14 the lands hereby granted, to report to the Secretary of the

15 Interior a statement of all lands, in their legal subdivisions, that
16 are not excepted as aforesaid, fixing a price thereon at such
17 rates that the average of the whole shall not exceed two
18 dollars and fifty cents per acre, and said company shall be
19 required to expose a copy of such report with list of said lands
20 to the public in the office of the secretary of said company ;
21 and any person actually settling upon and improving said
22 land, or any Government subdivision thereof, shall have the
23 right to purchase at the price so fixed any unsold parcel of
24 said land upon payment of said price, and on payment there-
25 for it shall be the duty of the secretary of said company to
26 make out duplicate certificates of the sale under the seal of
27 the company, send one to the Secretary of the Interior, and
28 deliver the other to the purchaser ; and it shall be the duty
29 of the Secretary of the Interior to issue to such purchaser a
30 patent for the land described in his certificate, as in cases of
31 land sold by the United States.